

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 CHRISTOPHER PARK,

11 Plaintiff,

12 v.

13 NANCY A. BERRYHILL, Deputy
14 Commissioner of Social Security for
Operations,

15 Defendant.

CASE NO. 3:17-CV-5613 JRC

ORDER ON STIPULATED
MOTION FOR EQUAL ACCESS
TO JUSTICE ACT FEES

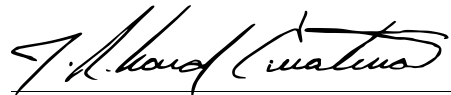
16 This Court has jurisdiction pursuant to 28 U.S.C. § 636(c), Fed. R. Civ. P. 73 and Local
17 Magistrate Judge Rule MJR 13 (*see also* Consent to Proceed Before a United States Magistrate
18 Judge, Dkt. 2). This matter is before the Court on plaintiff's Stipulated Motion for Attorney Fees
19 and Expenses (*see* Dkt. 23). Plaintiff's previous Stipulated Motion for Attorney Fees (Dkt. 21) is
20 terminated.

21 Based on the Equal Access to Justice Act, 28 U.S.C. § 2412, ("EAJA"), the Stipulation of
22 the parties (*see* Dkt. 23), the time itemization (Dkt. 23-1), and the relevant record, it is hereby
23 ORDERED that EAJA attorney's fees of \$4,855.09 shall be awarded to plaintiff pursuant to the
24

1 EAJA and consistent with *Astrue v. Ratliff*, 130 S.Ct. 2521, 2524, 2010 U.S. LEXIS 4763 at
2 ***6-***7 (2010).

3 The Acting Commissioner shall contact the Department of Treasury after the Order for
4 EAJA fees is entered to determine if the EAJA fees are subject to any offset. If it is determined
5 that plaintiff's EAJA fees are not subject to any offset allowed pursuant to the Department of the
6 Treasury's Offset Program, then the check for EAJA fees shall be made payable to James S.
7 Coon, based on plaintiff's assignment of these amounts to plaintiff's attorney (*see* Social
8 Security Retainer Agreement, Dkt. 23-2). If there is an offset, the remainder shall be made
9 payable to plaintiff, based on the practice of the Department of the Treasury (*see, e.g.*, Case No.
10 2:15-cv-122, Dkt. 22, p. 4). Any check for EAJA fees shall be mailed to plaintiff's counsel,
11 James Coon, at 820 SW 2nd Avenue, Suite 200, Portland, OR 97204.

12 Dated this 19th day of September, 2018.

13 

14 J. Richard Creatura
15 United States Magistrate Judge
16
17
18
19
20
21
22
23
24